HOGE ▪ FENTON

ETHICS AND PROFESSIONAL LIABILITY

For almost fifty years, Hoge Fenton attorneys have successfully defended professionals against claims of malpractice and malfeasance. We provide the expertise needed to represent attorneys, public and private hospitals and staff, physicians, dentists, mental health professionals, therapists and other health care providers, real estate brokers and agents, mortgage bankers and brokers, investment advisors, appraisers, accountants, corporate officers and directors, and other professionals. The Professional Liability Practice at Hoge Fenton is composed of experienced trial attorneys who specialize in professional liability claims.

In addition to representing professionals in malpractice litigation, members of the practice serve as approved counsel for numerous private organizations and insurance companies that provide professional errors and omissions coverage for professionals throughout Northern California. Our attorneys have impressive experience in Alternative Dispute Resolution (ADR) and some members of the group were actively involved in the creation and implementation of Santa Clara County's Superior Court Rules governing Special Masters. Additionally, a number of our attorneys regularly serve as arbitrators, mediators and special masters.

Our approach to handling professional liability claims is two-fold. First, we focus on solving our client's problem before trial. Through negotiation, arbitration and mediation, we attempt to resolve disputes before they become lawsuits, and lawsuits before they become full-fledged trials. When appropriate, we conclude or significantly limit a claim with pretrial motions such as those for summary judgment, demurrers, and in limine motions. In the event a claim cannot be settled before trial, our talent and experience provides unparalleled trial advocacy and post-trial representation, including at the appellate level in both state and federal courts.

We handle claims efficiently and economically and in a manner that benefits both the professional and the insurer. Initial case handling focuses on early and accurate analysis of the legal and factual basis for each claim. Prompt interviews of key witnesses, review of critical documents, and legal analysis of all allegations culminate in a written initial case analysis. This analysis contains a summary of our findings and a recommended strategy for future handling, recommendations regarding early resolution, and a proposed litigation budget.

Whenever possible, we use our evolving research and expert library compiled from past cases. These cases provide invaluable resources for litigation strategies; and for pre-trial, trial, and post-trial research and motions. In addition, we maintain a library of trial and deposition testimony given by expert witnesses. This resource has proved extremely useful in evaluating potential experts and cross-

examining experts selected by other parties to the litigation.

Throughout the pendency of a case, we provide regular status reports, promptly advise our clients of any developments that impact our case evaluation or the proposed budget, and continually explore avenues of resolution before trial. We welcome questions, thoughts, and concerns from our clients and we respond promptly to each. We have the breadth of skill to handle any professional malpractice matter to its conclusion.

We provide in-house education concerning recent developments affecting all areas of professional negligence law. To keep abreast of recent developments in professional liability law, we regularly participate in in-house and outside educational seminars both as lecturers and as attendants. Many of our attorneys sit on the boards of continuing education organizations and others hold faculty position at Santa Clara University. Our active participation in continuing legal education enables us to better serve our clients both in the courtroom and in helping them conduct their businesses.

Primary Contact

- Alison P. Buchanan

Related Attorneys

- Alison P. Buchanan
- Alexander H. Ramon
- Giuliana R. Ferrante
- Laura C. Riparbelli
- Emma B. Lloyd
- Christopher P. Chang
- Manda McElrath
- Benjamin L. Chen